

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD  
ON WEDNESDAY, OCTOBER 16, 2019 AT 6:00 P.M. IN THE CITY COUNCIL  
CHAMBERS**

**MAYOR:** Tonita Gurulé-Girón

**COUNCILORS:** Vincent Howell  
Barbara A. Casey  
David G. Romero  
David A. Ulibarri, Jr.

**ALSO PRESENT:** Ann Marie Gallegos, Interim City Manager  
Marcia Ludi, Recorder  
Esther Garduno Montoya, City Attorney  
Steve Pacheco, Sergeant at Arms

Meeting began at 6:00 p.m.

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Howell asked to keep in mind, community members who had recently passed also for those who were hurting and asked for prayers for those who were ill. He asked the Lord to give them, as leaders, the guidance to make good decisions that would help better the community and stated it was so important for the community to thrive.

**APPROVAL OF AGENDA**

Councilor Ulibarri, Jr. made a motion to approve the agenda as. Councilor Casey and Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero

Yes

Barbara A. Casey

Yes

Vincent Howell

Yes

David A. Ulibarri, Jr.

Yes

Motion carried.

### **APPROVAL OF MINUTES**

Councilor Casey made a motion to approve the minutes of September 11th, Work Session and September 18, 2019, Regular, with minor adjustments. Councilor Ulibarri, Jr. and Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero

Yes

Barbara A. Casey

Yes

Vincent Howell

Yes

David A. Ulibarri, Jr.

Yes

Motion carried.

### **MAYOR'S APPOINTMENTS/ REPORTS**

Mayor Gurulé-Girón advised she had no appointments although stated Susie Tsyitee would give a brief report.

Ms. Tsyitee advised that the Las Vegas Arts Council was working on adding a mural in the back addition of their building and with consulting with the community, came up with the idea to ask Zach Lujan to design it and it would be named: "The Message is Music", to honor our musicians. She stated that it would be a gorgeous gateway to Bridge Street, that the Community Foundation had raised \$1,000.00 for the project and would be asking the youth in the community to participate. She asked Council for permission to move forward.

Mayor Gurulé-Girón directed Ms. Tsyitee to contact Interim City Manager Gallegos and Interim Community Development Director Marrujo and they would guide her through the process.

Mayor Gurulé-Girón advised that she had provided a response to Council in regards to the two agenda items that had been submitted by Councilor Casey and she had reviewed a lot of the policies and regulations for the City regarding repealing, amending or rescinding any of the actual Rules of Procedure through the governing body. She stated "one of the requirements that would have to be met before it is put on the agenda, is the notice of intended proposal, so I did not



put it on the agenda for that reason, I did discuss that briefly with Councilor Casey, I think we both kind of concur that there might be some questions with regards to that process, so we have to ensure that we follow that process, consistent with the Charter and with the laws and the ordinances of the City of Las Vegas". She added that they would have to go through hearings, comments received regarding the proposal would have to be posted, allowing transparency to the community and follow procedure.

Mayor Gurulé-Girón spoke about restructuring Rules of Procedure, the City Charter and city code in order to apply consistency and stated that the requirement of the notice of intended proposal was not met therefore not placed on the agenda.

Mayor Gurulé-Girón asked Council for a consensus to give direction to the City Attorney to move forward with further review of the restructure.

Councilor Romero stated "that was one of the recommendations made at the time City Attorney Garduno Montoya was hired".

City Attorney Esther Garduno Montoya advised that they had talked about the Charter Commission, updating the Charter and also mentioned was the Rules of Procedure and how they were inconsistent with the Charter as well as the City's code.

Councilor Romero thanked her for her response although stated that obviously this was a recommendation by the state auditor, that this matter be taken care of by this Council.

Lengthy discussion took place on the need to address the restructure of the City Charter and the concerns of the New Mexico State Auditor.

Interim City Manager Ann Marie Gallegos advised there was a letter received in mid June from the state auditor regarding the Governing Body Rules of Procedure and there were two or three other items that he requested that they address. She stated that he wrote that memorandum specific to the City's auditor record and informed that they were still going through the audit at this point, had not been completed and had not met with him on those issues although he did plan to come back and meet with them on the four items he wanted reviewed.

Councilor Casey advised that it was a subsequent letter that was sent to the Governing Board and Interim City Manager and was specific to Resolution 02-17, which was the Governing Body Rules of Procedure. She stated that was what she was basing her agenda request on and she did what she could on her request based on the very convoluted language of the Governing Body Rules of Procedure, which needed to be addressed, she did not have a problem with this and wanted to make sure it was done right. Councilor Casey stated that she was shocked with the poorly written Governing Body Rules of Procedure, was embarrassed that it was on the City's website and that her request was intended to repeal the entire thing, to start again with new rules that they could all agree to.

Mayor Gurulé-Girón stated that anything brought back to Council regarding the Governing Body Rules of Procedure needed to meet the notice of intent rule.

Councilor Howell referred to the State Auditor's statement in the followup letter regarding that the Governing Body Rules of Procedure was an impediment for the Council to regain their autonomy as Councilors. He thought it was a very insightful comment that he made in his evaluation analysis on what he had seen with this governing body, that was why this agenda request was submitted and Council would do what they needed to do, expeditiously.

Councilor Ulibarri, Jr. *inaudible 18:05*

Mayor Gurulé-Girón asked if there was a consensus for the City Attorney *inaudible 18:18* to follow up with this procedure.

Councilor Howell asked "exactly what are we asking her to do?"

Mayor Gurulé-Girón stated that based on her memo, after reviewing the agenda request and her 10 years on the Council, that they would direct her to restructure so they could read the actual background rationale on page 2, to look at the actual procedure and how they could restructure and streamline/update the policies.

The Governing Body agreed to a consensus regarding City Attorney Garduno Montoya to restructure of the Governing Body Rules of Procedure.

Councilor Howell requested that Councilor's comments be given to City Attorney in regards to the restructure.



Mayor Gurulé-Girón stated that comments from Council would be brought up during Public Hearings opened up to the public.

Councilor Romero asked Mayor if he could have the list of requirements in regards to the need of Public Hearings to restructure the Governing Body Rules of Procedure.

Mayor Gurulé-Girón advised that City Attorney was going to check into that, and that this was her analysis after her review, that she was not sure what they had done in the past and recalled this was under the public comment/public hearing process and under Charter Rule process.

### **MAYOR'S RECOGNITIONS/ PROCLAMATIONS**

Mayor Gurulé-Girón advised she would be presenting at a later time, a proclamation for the Hunger Crop Walk and invited everyone to attend the event on October 26, 2019.

### **PUBLIC INPUT**

Wid Slick gave a detailed presentation for the Lodger's Tax fiscal year ending June 30th, regarding tourism economy and collections, tourist related projects that resulted from the 1% Lodger's tax increase and increases for the current fiscal year. He stated that Lodger's Tax Advisory Board had two vacancies and asked Council to please fill those vacancies in order to recommend winter advertising.

Lalo Sanchez spoke regarding his concern of police vehicles not being numbered in order to report the police on their infractions and that he felt that a certain Police Officer might be commuting/speeding back and forth from Las Vegas to Glorieta or Rowe and felt that was an abuse of taxpayer money and asked if they could look into that. Mr. Sanchez asked if the volume could be raised during Council meetings as he was having trouble hearing the Governing Body speak. He stated that past Reporter, David Guiliani was very concerned about public/community information and wished it was still that way and added that the Utilities Department Director falsely accuses people of having water leaks, he felt that it was a disgrace and should be corrected.

Brief discussion took place regarding police vehicles being numbered and Mayor Gurulé-Girón asked Interim City Manager Gallegos to follow up on that with Chief of Police David Bibb.

### **PRESENTATIONS**

Commander Pam Sandoval presented and recognized three police personnel for their accomplishments and for their completion of the NM Department of Public Safety Telecommunications Academy as Certified Communication Specialists which included: Shannon Ortiz, Diane Torrez and Angelica Stockton.

Mayor Gurulé-Girón congratulated and thanked them for taking on the duty of dispatcher, which was a stressful job and welcomed the new hires to the City of Las Vegas.

### **CITY MANAGER'S REPORT**

Interim City Manager Gallegos gave a detailed report of upcoming projects/events as follows:

- |  |  |
|--|--|
| -Fiesta Council Report (presented by Tana Vega)        | -Tree Lighting Ceremony, Decoration Contest, Light Parade                    |
| -Legislative requests; submit priorities               | -Employee Safety Training  |
| -ICIP Priority projects; submit priorities             | -Recreation Ctr: 170 enrolled-After School Program, 24 enrolled-YABL Program |
| -CDBG funding (Capital Improvement funds)              | -1st Comprehensive Master Plan Meeting (TBD)                                 |
| -Plaza Merchants/Film 2nd Mtg. 10.18.19 at 1:30 @ P.D. |  |
| -CLV Hospitality Top Hat Awards-3 Nominations          |  |
| -City of Las Vegas Halloween Events                    |  |
| -Fundraiser (Santa in the Park)                        |  |

Councilor Romero asked how legislative requests from outside the City were streamlined and how the City could be made aware of them.

Interim Finance Director Tan Vega explained that if those requests were honored by the Legislature, someone had to serve as fiscal agent, being that they were from the City locality, the City was entrusted with being the fiscal agent and ensuring that the funds were spent according to procurement code.

Discussion took place regarding legislative requests sponsors and the process of locating them.



## **FINANCE REPORT**

Interim Finance Director Tana Vega presented the Finance report for the month ending September 30, 2019 (25% of Year Lapsed), reporting General Fund Revenue at 25% (\$2,864,632) and expenditures at 19% (\$2,460,540). She informed Enterprise Funds revenue came in at 20% (\$3,492,612) and expenditures at 16% (\$3,267,789). Ms. Vega reported the Recreation Department revenue was at 19% (\$122,666), decreased from last year, due to being closed for roof repair and expenditures came in at 21% (\$151,346).

Councilor Romero asked, based off of the last revenue at the Recreation Center, was that going to affect the overall function of the center.

Interim Finance Director Vega advised that it would not, due to generating funds from the Afterschool Program/YABL sponsor fees and from cash balances at the end of the year and that would cover the one month shortage.

Councilor Casey thanked Interim Finance Director Vega for providing the changed format of the check listings and had questions on two vendors being paid out.

Interim Finance Director Vega provided the information asked by Councilor Casey.

Questions and discussion took place regarding an independent party inspecting the roof repair at the Recreation Center.

Interim Finance Director Vega presented the Financial Fiesta Report, reporting total income at \$99,666.86 and total expenditures at \$107,026.86.

Lengthy discussion took place regarding film permit fees collected by the City of Las Vegas and compensation paid out to businesses by the film production companies.

## **CONSENT AGENDA**

Recorder Marcia Ludi read the Consent Agenda (Items 1-3) into the record as follows:

1. Approval of Resolution No. 19-52, 2020 Election Resolution (English and Spanish).

Resolution 19-52 was presented as follows:

ELECTION RESOLUTION  
CITY OF LAS VEGAS

Resolution No. 19-52

**Whereas**, pursuant to NMSA 1978, Section 1-22-4(A), a notice of regular election is required.

Be it resolved by the governing body of the City of Las Vegas that:

- A. A regular municipal election for the election of municipal officers shall be held on March 3, 2020. Polls will open at 7:00 A.M. and close 7:00 P.M.
- B. At the regular municipal election, persons shall be elected to fill the following elective offices:
  - 1. One (1) Mayor for a four (4) year term.
  - 2. Ward 2 – One (1) Councilor for a four (4) year term.
  - 3. Ward 3 – One (1) Councilor for a four (4) year term.
- C. In accordance with NMSA 1978 §1-3-4B, the following precincts are consolidated for the regular municipal election:

CP01: Consists of precincts 27, 4B, 26, 3B, 4A, 5.2, 28, 25, 5.1, 6, 2, 7, 3A, 1, 8, 11
- D. The following locations are designated as polling places for the conduct of the regular municipal election:
  - 1. Robertson High School Michael Marr Gymnasium, 1238 4<sup>th</sup> Street
  - 2. West Las Vegas “Gillie Lopez” Gymnasium, 157 Moreno Street
- E. Absentee Voting. Applications for absentee ballots may be obtained only from the office of the Municipal Clerk. All applications for an absentee ballot must be completed and accepted by the Municipal Clerk prior to 5:00 p.m., February 28, 2020. After 5:00 p.m. on February 28, 2020, all unused absentee ballots will be publicly destroyed by the Municipal Clerk. The Municipal Clerk will accept completed absentee ballots delivered by mail, or in person by the voter casting the absentee ballot, by a member of the voters’ immediate family, or by the caregiver of the voter, until 7:00 p.m. on March 3, 2020.



Absentee ballots may be marked in person in the office of the Municipal Clerk during the regular hours and days of business, beginning on Tuesday, February 4, 2020 and closing at 5:00 p.m. on February 28, 2020.

Early Voting. Early voting on paper ballots counted by electronic vote tabulator will be conducted in the office of the Municipal Clerk during the regular hours and days of business, beginning on Tuesday, February 4, 2020 and closing at 5:00 p.m. on Friday, February 28, 2020. The City Clerk's Office will also be open on Saturday, February 29, 2020 between the hours of 10:00 a.m. and 6:00 p.m.

- F. Persons desiring to register at the regular municipal election must register with the County Clerk of San Miguel County not later than Tuesday, February 4, 2020 at 5:00 p.m., the date on which the County Clerk will close registration books.
- G. All Declarations of Candidacy shall be filed with the Municipal Clerk on Tuesday, January 7, 2020 between the hours of 9:00 A.M. and 5:00 P.M.
- H. The casting of votes by qualified electors shall be recorded on electronic tabulators.

**ADOPTED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Mayor Tonita Gurulé-Girón

ATTEST:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

RESOLUCIÓN DE ELECCIÓN  
CIUDAD DE LAS VEGAS

Resolución núm. 19-52

**Mientras que**, de conformidad con NMSA 1978, sección 1-22-4(A), se requiere un aviso de elección regular.

Sea resuelto por el cuerpo gobernante de Las Vegas que:

- A. Una elección municipal regular para la elección de oficiales municipales se llevará a cabo el 3 de marzo de 2020. Lugares de votación estarán abiertas al público entre las horas de las 7:00 A.M. y las 7:00 P.M.

B. En las elección municipal regular, individuos serán elegidos para ocupar los siguientes cargos electivos:

1. UN Alcalde por un término de cuatro años.
2. El barrio 2 – UN Concejal por un término de cuatro años.
3. El barrio 3 – UN Concejal por un término de cuatro años.

C. De conformidad NMSA 1978 §1-3-4B, se consolidan las siguientes casillas:

CP01: Es compone de distritos 27, 4B, 26, 3B, 4A, 5.2, 28, 25, 5.1, 6, 2, 7, 3A, 1, 8, 11

D. Las siguientes ubicaciones son designadas como centros electorales para el conducto de la elección municipal:

1. Escuela Secundaria de Robertson gimnasio de Michael Marr, calle 1238 4th.
2. Escuela Secundaria de Las Vegas Oeste gimnasio de Gillie Lopez, calle 157 Moreno.

E. Votación en Ausencia. Solicitudes para obtener balotas para votar en ausencia pueden ser obtenidas únicamente de la oficina de la Escribana de la Municipalidad. La Escribana de la Municipalidad debe llevar y aceptar todas las solicitudes para obtener una balota para votar en ausencia antes de las 5:00 p.m. el 28 de febrero de 2020. A partir de las 5:00 p.m. el 28 de febrero de 2020, la Escribana de la Municipalidad públicamente destruirá todas las balotas no utilizadas. La Escribana de la Municipalidad aceptará las balotas completadas por la votante que emite su balota, con el fin de votar en ausencia, que se le entregue por correo o en persona o por un miembro de la familia inmediata del votante, o del conserje al votante hasta las 7:00 p.m. el 3 de marzo de 2020.

Las balotas para votar en ausencia se pueden marcar en persona en la oficina de la Escribana de la Municipalidad, durante las horas y días hábiles, empezando el martes, 4 de febrero de 2020 y terminando a las 5:00 p.m. el viernes, 28 de febrero de 2020.

Votación por Anticipado. El recuento de los votos por anticipado, de papeleta, se llevará a cabo por un tabulador electrónico en la oficina de la Escribana de la Municipalidad, durante las horas y días hábiles, empezando el martes, 4 de Febrero de 2020 y terminando a las 5:00 p.m. el viernes, 28 de febrero de 2020. Oficina de la Escribana de la Municipalidad también abrirá en sábado, 29 de febrero de 2020 entre el horario de las 10:00 a.m. y las 6:00 p.m.

F. Las personas que deseen registrarse para votar en la elección municipal regular, tienen que registrarse con la Escribana del condado de San Miguel condado antes del martes de 4 de Febrero de 2020 a Escribana del Condado cerrara los libros del registro.



G. Se archivar  todas las Declaraciones de Candidatura con la Escribana Municipal el martes, 7 de Enero de 2020 entre las horas de las 9:00 A.M. y las 5:00 P.M.

H. Se archivar  un record de los votos de los electores municipales calificados en papeletas, de las cuales se har  un recuento por tabuladores electr nicos.

**Adoptada y aprobada este d a \_\_\_\_\_ de \_\_\_\_\_ de 2019.**

\_\_\_\_\_  
Alcalde

Da fe:

\_\_\_\_\_  
Escribano Municipal

2. Approval of awarding bid 2020-01 for the Senior Center North Parking Lot to Pacheco Construction.

3. Approval of funding from the Bulletproof Vest Partnership in the amount of \$1566.72.

Councilor Casey made a motion to approve the Consent Agenda as read into the record. Councilor Ulibarri, Jr. seconded the motion. Mayor asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

### **BUSINESS ITEMS**

1. Conduct a Public Hearing and Approval/Disapproval to adopt Ordinance No. 19-04, Passenger Behavior for the City of Las Vegas Meadow City Express.

Councilor Casey made a motion to go into Public Hearing. Councilor Howell seconded the motion. Mayor Gurul -Gir n asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

City Attorney Esther Garduno Montoya asked anyone who wished to speak on the issue, to stand and be sworn in. Darlene Arguello and Marcelino Roybal were sworn in.

Transportation Manager Darlene Arguello advised that as per NMDOT and FTA Regulations for Transit Systems, an Ordinance Governing Passenger Behavior must be adopted.

Councilor Casey thought this was a very good thing to do, that it was in writing so if people had questions they can refer to that and thought it was very comprehensive and thanked Ms. Arguello.

Councilor Howell asked a question regarding the penalties of misbehavior.

Ms. Arguello explained in detail the three part appeal process regarding the penalties for misbehavior and also the process of a suspension.

Councilor Casey made a motion to accept the record proper and close the public hearing. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

Councilor Casey made a motion to reconvene into regular session. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.



Councilor Casey made a motion to approve to adopt Ordinance No. 19-04, Passenger Behavior for the City of Las Vegas Meadow City Express. Councilor Howell seconded the motion.

Ordinance 19-04 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City Clerk's Office.*

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

2. Approval/Disapproval of Resolution No. 19-45 Passenger Child Restraint Policy for the City of Las Vegas Meadow City Express.

Transportation Manager Arguello advised that this is a policy in accordance with NMDOT ADA and City of Las Vegas Meadow City Express Rules and Regulations governing Passenger Child Restraint Requirements to maintain effective, safe and efficient transit services for the community.

Councilor Casey made a motion to approve Resolution No. 19-45 Passenger Child Restraint Policy for the City of Las Vegas Meadow City Express. Councilor Ulibarri, Jr. seconded the motion.

Resolution 19-45 was presented as follows:

*Due to the length of the document, a complete copy may be obtained from the City Clerk's Office.*

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

3. Approval/Disapproval of Resolution No. 19-46 Passenger No-Show and Late Cancellation Policy for the City of Las Vegas Meadow City Express.

Transportation Manager Arguello advised that this is a policy in accordance with NMDOT ADA and City of Las Vegas Meadow City Express Rules and Regulations governing No-Show and Late Cancellation Requirements to maintain effective, safe and efficient transit services for the community.

Discussion and questions took place regarding how the public was notified of No-Show and Late Cancellation policies, the process of handling situations of no pick ups and "callbacks".

Councilor Casey made a motion to approve Resolution No. 19-46 Passenger No-Show and Late Cancellation Policy for the City of Las Vegas Meadow City Express. Councilor Howell seconded the motion.

Resolution 19-46 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City Clerk's Office.*

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

4. Approval/Disapproval of Resolution No. 19-47 Service Animal Policy for the City of Las Vegas Meadow City Express.

Transportation Manager Arguello advised that this is a policy in accordance with NMDOT ADA and City of Las Vegas Meadow City Express Rules and Regulations governing Service Animal Requirements to maintain effective, safe and efficient transit services for the community.

Discussion and questions took place regarding the requirements to accommodate service animals, several allowances for comfort animals and pets.



Mayor Gurulé-Girón asked Transportation Manager Darlene Arguello to follow up on regulations pertaining to owners of service animals in providing certificates, harnesses and badges for proof.

Councilor Casey made a motion to approve Resolution No. 19-47 Service Animal Policy for the City of Las Vegas Meadow City Express. Councilor Howell seconded the motion.

Resolution 19-47 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City Clerk's Office.*

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

5. Approval/Disapproval of Resolution 19-53 assuring availability of funds for Project Control #LP40002 (National/Bridge Street) administered by NMDOT in the amount of \$1,619,562.00, State share being \$1,536,683.90 which is 95%, City of Las Vegas share being \$80,878.10 which is 5% of total cost.

Interim Public Works Director Danny Gurule advised as per New Mexico Department of Transportation (NMDOT) submittal criteria, it is required that a Resolution of support from our Local Governing Body accompany the Grant Agreement. In complying with this criteria staff is requesting that this Resolution be approved for the plan, design, construction, construction management, reconstruction, pavement rehabilitation, drainage improvements, and miscellaneous construction, from National Ave. from 12th St. down Bridge St., around the Plaza Park, to include Camino De Las Escuelas, South Gonzales St., South Pacific St., to end at Moreno St., also Hot Springs Blvd., and North Gonzales St., to end at Valencia St.

Councilor Casey asked if the City had the funds to cover the project if it went over 1.6 million.

Interim City Manager Gallegos advised that if the amount went over, they would either adjust the engineer's estimates, adjust the total project itself, meaning something would have to suffer in order to stay within budget or if it was something really important, that Council would want to reconsider and it would be brought back to Council.

Councilor Casey stated she was asked by a few business owners, if there were already engineers working in that area and asked if the City would go out for bids on this project.

Interim Public Works Director Gurule advised that Stantec engineers were at the area assessing it for cost estimates for the project at no cost to the City. Mr. Gurule advised that it was not going out for bid due to using one of the three on-call engineers, who offer free cost estimates.

Councilor Casey brought to attention, several errors that should be corrected on Resolution 19-53.

Interim City Manager Gallegos advised the corrections would be made to the Resolution.

Councilor Howell asked who was responsible for road repair from 8th to 12th Streets, due to being in very bad shape.

Interim Public Works Director Gurule advised that New Mexico Highlands University was responsible for those areas.

Councilor Romero asked what the amount of the Stantec contract was.

Interim City Manager Gallegos advised that it was an RFP process that was approved by Mayor and Council, that there was a threshold in the procurement, not allowing to go over a certain dollar amount and advised that they monitor those as well.

Councilor Casey made a motion to approve Resolution 19-53 assuring availability of funds for Project Control #LP40002 (National/Bridge Street) administered by NMDOT in the amount of \$1,619,562.00, State share being \$1,536,683.90 which is 95%, City of Las Vegas share being \$80,878.10 which is 5% of total cost. Councilor Howell seconded the motion.



Resolution 19-53 was presented as follows:

**CITY OF LAS VEGAS**

**Resolution # 19-53**

A Resolution Supporting the New Mexico Department of Transportation Call for Projects Grant  
Administered by the New Mexico Department of Transportation

**WHEREAS;** the City of Las Vegas and the New Mexico Department of Transportation will enter into an agreement for a local road project.

**WHEREAS;** the total project cost being One Million Six Hundred Seventeen Thousand Five Hundred Sixty Two Dollars, (\$1,617,562.00) to be administered by the NMDOT,

**WHEREAS,** the NMDOT share amount being 95% or \$1,536,683.90, and the City of Las Vegas proportional matching share being 5% or \$80,878.10.

**WHEREAS,** the City of Las Vegas will work in accordance with the funding requirement of the Agreement, and will budget \$80,878.10 which is 5% of total cost of project being \$1,617,562.00.

**WHEREAS;** the City of Las Vegas shall pay all costs that exceeds the total amount of \$1,617,562.00.

**NOW THEREFORE, BE IT RESOLVED,** by the City of Las Vegas Local Governing Body that the Agreement for Project Control Number LP40002 funding be submitted to the New Mexico Department of Transportation, for the Plan, Design, Construction, Construction Management, Reconstruction, Pavement Rehabilitation, Drainage Improvements, and Miscellaneous Construction from National Ave. from 12thSt. down Bridge St., around the Plaza Park, to include Camino De Las Escuelas, South Gonzales St., South Pacific St., to end at Moreno St., also Hot Springs Blvd., and North Gonzales St. to end at Valencia Street.

PASSED, APPROVED, AND ADOPTED THIS \_\_\_\_ DAY OF OCTOBER 2019.

ATTEST:

CITY OF LAS VEGAS

\_\_\_\_\_  
Casandra Fresquez  
City Clerk

\_\_\_\_\_  
Tonita Gurule-Giron  
Mayor

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero

Yes

Barbara A. Casey

Yes

Vincent Howell

Yes

David A. Ulibarri, Jr.

Yes

Motion carried.

### **COUNCILOR'S REPORTS**

Councilor Romero stated that he mentioned the Vacant Building Ordinance at the last meeting and wondered if that had been addressed, due to there being fees and penalties that could be assessed.

Interim City Manager Gallegos advised that they were focused on vehicles by ward and was not sure they had looked at vacant buildings.

Councilor Romero mentioned that Councilor Howell had previously brought up concerns regarding the collapsed building on Grand Avenue and people going over the fence to get in was dangerous and asked if it had been addressed by Code Enforcement.

Interim City Manager Gallegos advised that there was a possibility of a purchase for the property and would try to contact the owner, if not they would get Public Facilities to reinforce the fence.

Councilor Romero asked if there was anyone working in Animal Control.

Interim City Manager Gallegos informed that Jeremiah Gutierrez and Virginia Marrujo were taking care of Animal Control and Code Enforcement.

Councilor Howell stated that he believed that taking on Animal Control responsibilities was too much, due to having trouble meeting the responsibilities of Code Enforcement Officer. He asked if they would be hiring someone for Animal Control as well.

Interim City Manager Gallegos stated that they would be having interviews for the second Code Enforcement position which would take on Animal Control duties as well.

Councilor Howell urged the City to separate those responsibilities as each one of those areas needed one specific person handling it. He added that there were so many code enforcement violations, so many dogs that need the attention of



animal control and having to carry both responsibilities was not going to allow them to be efficient.

Interim City Manager Gallegos advised she would review the job descriptions and possibly separate them if need be, move forward and do what they needed to do with them.

Councilor Romero stated that he understood the person working in Code Enforcement was no longer in that position, that he had been working without any training and also working with Streets Department. He stated they were using a pickup truck for animal control and asked if the department did not have the proper vehicle and was concerned about them using a pickup truck.

Interim Community Development Director Virginia Marrujo stated that they were working with the Santa Fe, Sheriff's Department on getting two animal control vehicles. She stated that they were utilizing the pickup truck with extra kennels available to use. She advised Councilor Romero that the truck is marked "Code Enforcement".

Councilor Ulibarri, Jr. advised there were many code violations throughout the City and that many of the issues he had brought up in the past had not been addressed, never receiving any reports or updates. He felt that being short staffed did not help the situation of addressing those issues and asked that the roads be looked at in the area of West National.

Interim City Manager Gallegos advised that reports by ward had been provided to Council in their departments reports but would provide that to him and would look into addressing issues on West National.

Councilor Casey discussed issues on faded stop signs and growth of bushes and trees in front of stop signs. She asked in regards to the Utility WasteWater Report, who were the two industrial level facilities that requested to discharge into the system.

Utilities Director Maria Gilvarry explained that NMDOT was doing a cleanup with the EPA on the South side of town regarding stored salt and the other cleanup was in the area of Grand and University, and both would do water testing to make sure they would meet the City's requirements before discharging into the system.

Councilor Casey asked if anyone had received any letters of interest in regards to the Lodger's Tax Board applicants.

Mayor Gurulé-Girón and Interim City Manager Gallegos advised they had not received any.

Councilor Casey stated other concerns in regards to having no lights in the area of three blocks from National onto 7th Street and added that she had never received any responses to her requests to address a list she had provided Code Enforcement 17 months ago. Councilor Casey advised that she also was concerned about the Community Development Department being short staffed and advised that people doing multiple jobs was unacceptable.

Councilor Casey asked what the reason was for not getting any funding for the CDBG Grant.

Interim City Manager Gallegos stated the project was 60% complete, where others were further along, they chose not to complete 100%, just in case they wouldn't get funded and added that they had not completed the Comprehensive Master Plan although were in the process of completing it. She advised that it was a two year project and when you take into account the utility lines that needed to be installed and the paving, it would have been a very quick two year turn around. She stated that she was not sure that would have been the best thing for the City although they would have accepted any type of funding that they could have and that they required a little more in regards to the environmental study. She advised that they could look into another project or if Council had a project to pursue with an application.

Councilor Casey commended Maria Gilvarry for her crew who was working in the area of underground gas leaks near her home and that they were very efficient, polite and very nice and thanked her for having well trained employees who always did a good job. She also commended Fire Chief Bill Montoya for his monthly report which was very comprehensive and noted that he evaluated his employees and was happy about that and that he ran his department in a positive manner, and was very supportive of his employees.

Councilor Howell asked if the issues in the area on Cinder Road had been addressed regarding trees blocking the water flow.



Interim City Manager Gallegos advised that they pulled easements and met with the County to discuss how they could work together to clear up the debris, although she did not believe it was City right of way and added that it was awkward property. She advised the City was working cooperatively with them.

Further discussion and questions took place regarding the cleanup process and who would be responsible for maintaining and paying for costs.

Councilor Howell stated that the property which was once the Sav-O-Mat was looking horrendous, it looked bad, especially to tourists as they drive on to National towards Bridge Street and asked if Code Enforcement had looked into it.

Interim City Manager Gallegos advised she would check with Code Enforcement and would also check on who owned the property.

Councilor Howell stated that there had been a recent move for an advocacy group for handicap issues and that they notified him with concerns about parks and sidewalks and that the City should focus more on the handicapped. He stated that they need help with how they move throughout the community and suggested that they come and explain their concerns with City Manager.

### **EXECUTIVE SESSION**

Councilor Romero made a motion to go into Executive Session to discuss personnel matters, regarding Community Development Department and City Manager, as permitted by Section 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

### **RECONVENE INTO REGULAR SESSION**

Councilor Romero made a motion to reconvene into regular session, he advised that only those matters specified in the motion were discussed and no decisions

were made. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes


Motion carried.

### **ADJOURN**

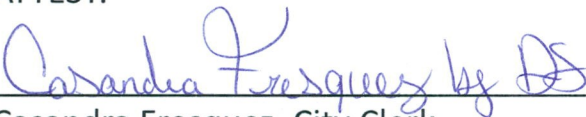
Councilor Casey made a motion to adjourn. Councilor Howell and Councilor Ulibarri, Jr. seconded the motion. Mayor asked for roll call. Roll Call Vote was taken and reflected the following:

David G. Romero	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

Motion carried.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
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Casandra Fresquez, City Clerk